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ABSTRACT

Teaching about the Amistad case provides correlations to the National Standards for History, and Civics and Government. An overview of the events of 1839 is given in this lesson plan. Seven student activities include reading and using primary source documents, writing journal articles, viewing the movie "Amistad," and giving presentations. Each of the five primary source documents provided contains an explanation of the historical context. (BT)

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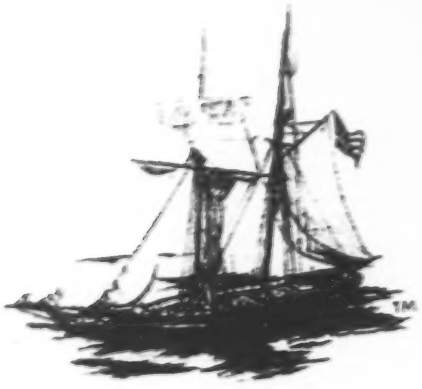
The *Amistad* Case



Lesson Plan

from the
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The *Amistad* Case

Teaching Activities

Standards Correlations

The following teaching activities correlate to the National Standards for History.

Era 4 - Expansion and Reform (1801-1861)

Standard 2D - Demonstrate understanding of the rapid growth of "the peculiar institution" [slavery] after 1800 and the varied experiences of African Americans under slavery.

Standard 3B - Demonstrate understanding of how the debates over slavery influenced politics and sectionalism.

Standard 4A - Demonstrate understanding of the abolitionist movement.

The teaching activities also correlate to the National Standards for Civics and Government.

Standard II. B. 1. - Explain how certain characteristics, including a history of slavery, tend to distinguish American society from most other societies.

Standard III. B. 1.- Evaluate, take, and defend positions on issues regarding the purposes, organization, and functions of the institutions of the national government.

Standard III. D. 1.- Evaluate, take, and defend positions on the role and importance of law in the American political system.

Standard V. B. 1.- Evaluate, take, and defend positions on issues regarding personal rights.

Cross-curricular Connections

Share these exercises with your history, government, language arts, and drama colleagues.

Teaching Activities

1. Review with students the meanings of the following terms: schooner, brig, writ of habeas corpus, proctor, and libel. Terms are defined in the text of the online headnotes.

2. Divide students into five groups. Print out the the featured documents and the Written Document Analysis Worksheet, and provide one document and a copy of the worksheet for each group. Ask each group to analyze their document. Using the jigsaw method, regroup

the students to share the infomation. Lead the class in oral responses to the worksheet questions, and discuss how the documents relate to one another.

3. Ask students to complete a chart similar to the one below comparing the individuals involved in the *Amistad* case. Documents #1 and #2 provide adequate information to compare Thomas R. Gedney and the Africans. Additional research will provide information on President Van Buren, the Spanish Government, the Abolitionists, and the Spanish planters.

Comparison Chart

Who?	Africans	Gedney	Van Buren	The Spanish Government	Abolitionists	Spanish Planters
What role did they play in the trial?	(defendants)	.	.	.	(financial & moral support for Africans)	.
What was their motivation?	.	(economic gain)	(political gain)	.	.	.
What were their arguments?	.	.	.	.	.	(property rights)
What was the basis for their arguments?	.	.	.	(Pinckney's Treaty)	.	.

4. Ask students to write an article for an 1841 newspaper describing the decision of the Supreme Court in the *Amistad* case. Encourage them to research the provisions of the Congressional Act of March 19, 1819, for background information. To insure that students recognize the differences in sectional reactions to the case, assign students particular newspapers, some in the North and some in the South.

5. Encourage students to write a review of the *Amistad* movie, comparing the film version to the actual events as described in the documents. Ask for student volunteers to share their reviews with the class. Lead a class discussion about the value of preserving the historical integrity of the story and the value of changing that story for a screenplay.

6. Following analysis of the documents, divide students into groups of five. Instruct student groups to write and stage a one-act play about the events and personalities involved in the case. The acts might focus on the formation of the *Amistad* Committee by abolitionists Lewis Tappan, Joshua Levitt, and Symeon Jocelyn; the decision by John Quincy Adams to represent the Africans; the challenges of securing translators for the Africans; and Van Buren's concerns about the election of 1840. Encourage students to quote directly from the documents. Schedule a media specialist to videotape the final productions.

7. Ask student volunteers to research and make an oral presentation to the class comparing the *Amistad* case to other significant incidents related to slavery prior to the Civil War, including Nat Turner's rebellion (1831), the *Creole* revolt (1841), and the Dred Scott decision (1857). Use the following questions to prompt comparisons: To what extent did these incidents involve violence? What were their outcomes? How did they influence

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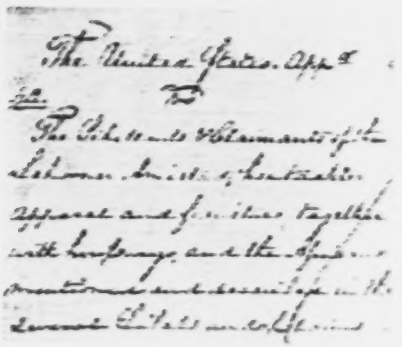

The *Amistad* Case

". . . each of them are natives of Africa and were born free, and ever since have been and still of right are and ought to be free and not slaves . . ."

-- S. Staples, R. Baldwin, and T. Sedgewick, Proctors for the *Amistad* Africans, January 7, 1840

Background

In February of 1839, Portuguese slave hunters abducted a large group of Africans from Sierra Leone and shipped them to Havana, Cuba, a center for the slave trade. This abduction violated all of the treaties then in existence. Fifty-three Africans were purchased by two Spanish planters and put aboard the Cuban schooner *Amistad* for shipment to a Caribbean plantation. On July 1, 1839, the Africans seized the ship, killed the captain and the cook, and ordered the planters to sail to Africa. On August 24, 1839, the *Amistad* was seized off Long Island, NY, by the U.S. brig *Washington*. The planters were freed and the Africans were imprisoned in New Haven, CT, on charges of murder. Although the murder charges were dismissed, the Africans continued to be held in confinement as the focus of the case turned to salvage claims and property rights. President Van Buren was in favor of extraditing the Africans to Cuba. However, abolitionists in the North opposed extradition and raised money to defend the Africans. Claims to the Africans by the planters, the government of Spain, and the captain of the brig led the case to trial in the Federal District Court in Connecticut. The court ruled that the case fell within Federal jurisdiction and that the claims to the Africans as property were not legitimate because they were illegally held as slaves. The case went to the Supreme Court in January 1841, and former President John Quincy Adams argued the defendants' case. Adams defended the right of the accused to fight to regain their freedom. The Supreme Court decided in favor of the Africans, and 35 of them were returned to their homeland. The others died at sea or in prison while awaiting trial.

The Documents

Libel of Thomas R. Gedney, Lieutenant, U.S. Brig *Washington*, August 29, 1839

Answer of the Proctors for the *Amistad* Africans, January 7, 1840

John Quincy Adams' request for papers relating to the lower court trials of the *Amistad* Africans, January 23, 1841

Opinion of the Supreme Court in *United States* v. *The Amistad*, March 9, 1841

Statement of the Supreme Court to Circuit Court, March 9, 1841

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sectional differences?

For Further Reading:

Jones, Howard. *Mutiny on the* Amistad: *The Saga of a Slave Revolt and its Impact on American Abolition, Law, and Diplomacy*. New York: Oxford University Press, 1987.

The Legal Information Institute at Cornell University has created a web site devoted to the legal issues surrounding the *Amistad* case.

National Archives and Records Administration
URL: http://www.nara.gov/education/teaching/amistad/teach.html
webmaster@nara.gov
Last updated: January 29, 1998

Written Document Analysis Worksheet

1. TYPE OF DOCUMENT (Check one):

___ Newspaper	___ Map	___ Advertisement
___ Letter	___ Telegram	___ Congressional record
___ Patent	___ Press release	___ Census report
___ Memorandum	___ Report	___ Other

2. UNIQUE PHYSICAL QUALITIES OF THE DOCUMENT (Check one or more):

___ Interesting letterhead	___ Notations
___ Handwritten	___ "RECEIVED" stamp
___ Typed	___ Other
___ Seals	

3. DATE(S) OF DOCUMENT: _____

4. AUTHOR (OR CREATOR) OF THE DOCUMENT: _____

POSITION (TITLE): _____

5. FOR WHAT AUDIENCE WAS THE DOCUMENT WRITTEN? _____

_____

6. DOCUMENT INFORMATION (There are many possible ways to answer A-E.)

A. List three things the author said that you think are important:

1. _____
2. _____
3. _____

B. Why do you think this document was written?

_____

_____

C. What evidence in the document helps you know why it was written? Quote from the document.

_____

_____

D. List two things the document tells you about life in the United States at the time it was written:

_____

_____

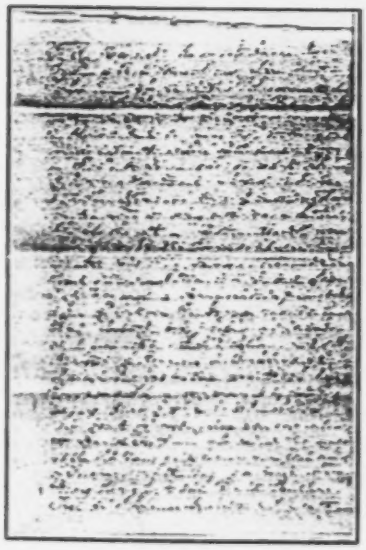
E. Write a question to the author that is left unanswered by the document:

_____

_____

_____

Document #1



**Libel of Lieutenant Thomas R. Gedney,
on behalf of himself and the officers and crew of the U.S. Brig *Washington*,
August 29, 1839**

**National Archives and Records Administration-Northeast Region, Waltham, MA,
Records of the District Courts of the United States, RG 21**

The *Washington* was the brig that seized the *Amistad* off the coast of Long Island. Its commander was Lt. Thomas R. Gedney. In his libel, or written statement, to Judge Andrew T. Judson of the district court, he described the encounter with the *Amistad*. Because he sought salvage of the schooner and its cargo, he was very detailed in his account and itemized all of its cargo, estimating its value at $40,000 and the value of the Africans as slaves at $25,000. In maritime law, compensation is allowed to persons whose assistance saves a ship or its cargo from impending loss. The libelants claimed that with great difficulty and danger to themselves they recaptured the *Amistad* from the Africans. They claimed that had they not seized the vessel, it would have been a total loss to its "rightful" owners. Therefore, Gedney and his crew believed they were entitled to salvage rights. At that time in U.S. history, even individuals acting in their official capacity as officials of the government were entitled to salvage rights.

In addition, Gedney relayed that the Africans could speak only native African tongues and that one of the two Spaniards, Jose Ruiz, spoke English. Gedney included in his libel the account of the mutiny as told by Ruiz.

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District of Connecticut, ss.

The President of the United States of America to the Marshal of the District of Connecticut, Greeting.

Whereas a libel is filed in the District Court of the United States for said District, by Thomas R. Gurley for himself and other seamen of the Thomas Swan and the cargo of said vessel, against the vessel, her tackle, &c., and the said libel is in the words following, viz:

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To the Honorable Andrew T Judson Esqr
Judge of the District Court of the United
States in and for the District of Connecticut.

The libel of Thomas R Gedney Lieute-
nant in the United States Navy commanding
the United States Surveying Brig Washington
employed in the Service of the United States
in the Coast Surveys. and on behalf of Richard
W Meade a Lieutenant on board said Brig
and the officers and Crew of said Brig Wash-
ington and all others interested in cubbed
humbly Sheweth — That on the 26th day
of August AD 1839 the said libellant being
in with said Brig surveying between Montauk
Point & Gardiners Island in the State of New
York discovered a Schooner and suspicious looking
Vessel off Culloden Point near said Montauk
Point that the hull proportion of said Vessel
which proved to be a Spanish Schooner called the
Amistad of Havanna in the Island of Cuba
of about 120 tons burthen. and the said libellants
found said Schooner was manned by forty four
negroes, some of whom had landed near
said point for water & there were also on board
two Spanish Gentlemen who represented and
as the libellants verily believe were part owners
of the Cargo of the negroes on board who were
slaves belonging to said Spanish Gentlemen.
That said Schooner Amistad sailed on the

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28th Day of June A.D. 1839 from the Port of Havanna
bound to a port in the Province of Principe
both in said Island of Cuba under the Command
of Raymon Perez as Master thence that said
Schooner had on board and was laden with
a large & valuable Cargo Consisting of and Amongst
as the Libellants believe to be 1 Box with 24 Looking
glasses 1 Chest 11 boxes Crockery & Glassware 200 Boxes
Vermicelli 15 Pcs Linen Stuff 1 Cade Sugar 25 Bags
Beans 25 Boxes Raisins 50 Pcs Cotton Shirting 10 Cases
Morocco Skins 5 Doz Calf Skins 8 Saddles 2 Cases Silk
20 Feet Cords 20 Doz Sole Leather 5 Iron Trunks or
Wearing Cases 1 Box with 200 Wax Caps 3 Iron
Kettles 1 Package Common Linen 1 Package Holland
Linen 1 Doz Parasols 2 Umbrellas 30 pieces Muslin 10
Yds each 2 Doz Pcs Work 3 Doz Dress 21 Ingots 90 Lbs
Silver 2 Pcs Worsted 1 Lb Bobbins 34 Pcs Long Lawn
34 Pcs Cambrics 5 Pcs Lace 14 Pcs Muslins 27 Pcs Stripes
24 Pcs Stripes 148 Pcs Ribbons 10 Pcs Linen Cambric 40 Pcs
Staged Linen 12 Pcs Linen Cassimere 1 Doz Shawls
Hand Gloves Hats Sashes Thread Towels Umbrellas
24 Muslin Dress patterns 10 woolen Shawls & Silk do
15 Cloth Buttons Cassimere 20 Pcs Stripes 40 Pcs Calicoes
30 Long Lawn 1 Pc Black Silk 1 Pc French Linens
5 Doz Linen Cambric Silk Umbrellas 42 Pcs Stripes
Rolls 2 Pcs Ribbons 6 Pc Printed Muslin 40 Pcs
Linen Cambric 60 Pcs Linen Lawn 2 Pcs Merino
Shawl patterns 3 Muslin Netts 3 Pcs Satin 10
Blankets 1 Box Handkerchiefs 12 Doz Hose 12 Pcs Coarse
Linen 50 Yds Silk 2 Pcs Linen Cloth 1 Pc Sheets

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5 Pipes Madeira 5 Demijohns Olive Oil 20 Boxes Vermicelli 20 Quintals Jerked Beef 15 Sides Sole Leather 5 Kegs Olives 2 Quintals Nails 190 pcs Muslins 2 pcs Stripes 3 pcs Brown Drilling 4 pcs Linens 21 pcs Colored Cotton Linens 11 doz Ladies Hose 2 Doz Belts 10 doz Linen Cambric Handkfs 12 Common Do and a large quantity of Silks Linens Madeira & provisions to the Amount in all of $41,000 Dollars— And also fifty four Slaves to wit fifty one male Slaves and three Woman Slaves which were with Twenty five Thousand Dollars in Specie on said voyage from Havanna to Principe the said Slaves rose upon the Captain & Crew of said Schooner killed & murdered the Captain & One of said Crew & two more of said Crew escaped & got away from said Schooner, that the two Spaniards on board to wit Pedro Montes and Jose Ruiz — remained also on board said Schooner after the murder of the Captain and after the said Negroes had taken possession of said vessel & Cargo that they were compelled to assist in the working of said vessel & was threatened by said Negroes that they would Murder them if they refused— That on the 28th day of September last the said Negroes compelled the Deponents by threats of Violence & Death to navigate the said Schooner to the Island of Long Island on the North side of the Island of Cuba where they arrived on the night of the 29th of September last & came to Anchor in the Harbour of Nuevitas where they remained about two days during which time the Deponents were constantly watched by the Negroes who

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boarded by the libellants and the said two Spanish
Gentlemen hereafter and claimed the aid and
protection of the libellants, that said Schooner
was accordingly taken possession of & rescued from
the hands & possession of said Negroes who had taken
the same as aforesaid, that said Schooner was brought
into port of New London in the District aforesaid
where she now is and said Schooner would with great
difficulty exposure and danger have been taken
by the Libellants but for the assistance and services
of the libellants the said vessel and said Cargo would
have been wholly lost to the respective owners thereof
that said Cargo belongs to divers Spanish Merchants
& others resident in said Island of Cuba & to the
said Pedro Montes & Jose Ruiz the latter owning
most of said Slaves —

Now inasmuch as the said
Thomas T Sidney & said officers & Crew have with
great difficulty & danger saved said Schooner
Transitad and said Cargo and said Slaves
which would otherwise in all human probability
have been totally lost to the Owners thereof respectfully
pray your Honor please to order the said vessel
to be attached and taken by the process of this
Court and that a monition issue to all
persons concerned to show cause if any they have
why a reasonable Salvage should not be decreed
thereon to the Libellants & all other entitled

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And that such further and other Steps shall be taken as the Course of this Honorable Court shall direct —

Thos R Gedney Lieut Comg U.S.N.B. Washington
R. W. Meade Jr By J. Shannahan Atty
Lieut U.S.N.

District of Connecticut ss
District Court at New London Augt 20th 1839

Personally appeared Richard W. Meade Jun. and made oath to the truth of the foregoing libel according to his best Knowledge & belief —

Before
Chas A Ingersoll
Clerk

And thereupon said libel be received by said District Court, and it was ordered that Monday the 16th day of September at a Stated Session of said District Court of the United States for said District be & the same is hereby appointed at Hartford in said District on the 19th day of September A.D. 1839 at 10 o'clock A.M. and the Clerk of said District Court is directed to issue due notice and order hereof thereupon that the persons concerned may then & there appear & show cause if any they have why Sentence and decree of Restitution should not be pronounced in the premises according to the

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[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
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[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Col[illegible] A. Fanning [illegible]

Clerk.

District of [illegible]

New London Harbor Aug[illegible] 30th 1839

These by Virtue of this warrant at said New London / 2 Miles
down the Harbor / I took into my Custody & keeping the aforesaid
American Schooner Amistad & her Tackle, Apparel & furniture
together with her Cargo Schedules aforesaid & there I did attach
to the use of the Court & whereof this warrant is returnable
And the said Cargo being found to be in a damaged State & daily
receiving More damage & then ordered the same & found
the Cargo to consist as follows to wit —

2 Pieces Ticking 2 Rolls ca 4 Yds. 68 Pieces Cotton Checks and
Stripes 1968 Yds 2 pieces Cotton Stripes Gingham 3½ Yds 1 ditto
8 Yds, 1 ditto 6 Yds 3 pieces Ticking 5¾ Yds, 1 Piece Dark Muslin
for 8 17¾ Yds, 1 Mosquito Bars 3 Cotton Habits, 12 blue Cotton Shawls
21 Cotton Habits, 3 pieces dark calico 6 Yds 1 Piece bleached Muslin 2 Yds
1 Piece Linen Cotton gauze 22 Yds 10 Yds Cotton do edg, 1 Sewing
Case, 1 Doz 6 stripe Hand Kerchiefs, 5 Pieces Mosquito Bars, 1 Piece
dark Gingham 8 Muslin aprons, 3 Pieces Cotton Lace
3 Pieces Linen Cambric 3 Pieces bleach Muslin, 3 Pieces White
Cotton Lace 1 piece Couch Lace 21 Yds 1 piece wide Cotton Lace 6 Yds
1 Piece Cotton gauze Lapwork 8 Yds 1 do do black 11 Yds, 1 ditto
stripe 20 Yds 2 pieces wide Cotton Lace 5 pieces Checked gingham
50 Yds 2 Pieces Ticking 3¾ 34 Yds 2 pieces Tickening 17 Yds
10 pieces Checked Cotton 181 Yds 3 pieces Striped Linen 90 Yds

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4 pieces check & fancy shirting)
4 pieces Lappet Muslin 40 yds Long Lawn 220 Yds 1 Bale stripped shirting 4 pcs
1 Ditto 7 pcs 1 Box dry goods P & M 1 Box Madras Handkfs P & M. 1 Bale Cotton stripes
& Ducks 2 pcs. 1 Box Linen 41 pcs. 12 Doz. Handkerchiefs. 11 Shawls. 1 pc Jaconet
Muslin 15 Yds. 9 pcs Gingham (each 15 yds) 135 Yds. 3 pcs Ditto. one dress in each
pc. 1 pc Black merino finished 40 yds 1 pc Satin 42 Yds 6 pcs Linen 42 yds 2 pcs Do
striped Shirting 40 yds 1 pc Cotton serge 11 yds. 2 pcs Black Merino 11 yds 5 pcs Brass plaids
for Bonnets. Part of 1 pc 16 pcs check 46 pcs Stripes & checks 123 yds 25 pcs Gingham
6 3/4 yds. 6 pcs Cotton 2 3/4 yds 1 pc Cotton 10 yds. 1 Bale dry goods RB No 14. 1 Bale
ditto RB No 10. 1 Bale ditto RB No 12. 1 Bale ditto RB No 13. 1 Bale ditto
A & L No 1 to 25. 1 Box Umbrellas RB No 12. 1 Box containing 34 coils twine & packages
and 61 Lbs. Ass. Knobs. 1 Box dry goods RB No 4. 1 Box ditto RB No 5. 1 Box ditto
T No 4. 1 Trunk wearing apparel No 10. Supposed to be the Capts. 1 Box 20 pcs galoon.
6 pcs Ribbon. 10 pcs Tape. 6 pcs pipes. 1 Box Thread & lace. 26 pcs. 1 Cal silk tacks.
1 Box needles. 1 Box Ribbons & Bonnets quilling. 1 Box IT. 40 pcs muslins. 1 Parcel
twine 36 skeins. 3 Parcels Umbrellas. No 21 pairs Trousers. 6 Shirts. 11 British fur
& skins. 3 Coats. 2 Vests. 2 Cloaks. 10 Cloths bags. 6 Empty tanks. 35 Manjohan
Cane sticks. 194 Box & Bromwell BC. 2 Boxes Silk partly filled BC. 7 Boxes Raisins
SC. 1 Box Glass RB. No 10. 1 Box ditto RB. No 6. 1 Puncheon Rum IH. 10 Boxes
Castile Soap SC. 2 ditto part full SC. 1 Box dry goods T. 1 Box ditto RB
No 16. 1 Box ditto A & L No 6. 1 Box ditto T No 3. 1 Box ditto T No 5. 1 Box
ditto P & M. 1 Box ditto RB No 6. 1 Box Soap 10 (part full). 1 Box Books Nat
1 Box part full of Iron. No 13 No 25. 2 Muskets (on trade order) 1 Box Stocking
RD No 7. 1 Box Leather A & C. 1 Box Sheet Copper C. N. No 5. 1 Box Looking glasses
no Mark. 1 Box Stocking RD No 11. 1 Ditto RD Box 1 Bale Calf Skins JL No 2.
1 Ditto No 3. 1 Box Stocking RD No 4 part full 1 Box Hose Cyphers to JL No 1
1 Box dry goods A & L No 11. 1 Box Stocking RD No 6. 1 Ditto No 2. 1 Ditto No 1
1 Empty keg. 1 Case Hardware 1 Box pulleys P & C. 1 Keg Snuff C & C. 1 Small
roll Leather 1 Bundle. 1 Musquito Compass No 3 1 Spy glass 3 pieces of Coffee
Ground. 2 Boxes part full part one partly filled. 7 Pcs dry plaids Loose Lines & green
cotton. 21 Tumblers and one decanter 2 glass dishes (loose) 4 Wine pots (loose) 2 Mug

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bottles (contents unknown) 1 Box dry goods A & L No 9. 1 ditto A & L No 2. 1 ditto No 6 1 ditto A & L No 8. 1 ditto A & L No 4. 1 ditto A No 1. 1 ditto A & L No 10. 1 ditto A & L No 5. 6 pictures. 1 Box dry goods R.B. No 1. 1 ditto A & L No 3. 3 Iron Pots SC. 1 Bundle twine 46 Skeins. 2 Bundles & 1 Sticks carriage tops. 1 Keg of Iron bridges. 1 Saddle bridle & Holsters. 1 Bale Morocco Skins DC. 2 Saws and four Bbl pieces. 1 Keg ditto SC (Bbl in Sub ales) 1 Box Knapsacks EF (Cane Knives) 1 Keg Snuff E R & C. 1 Box Screws, 6 Screw Augurs. 1 Spike gimblet. 1 Box containing 48 pinchers of fancy cotton cards be R B. 1 Bbl Lois Leather G B. 4 Rolls of sole leather J C. Nos 4 56 & and also a quantity sticked keys.

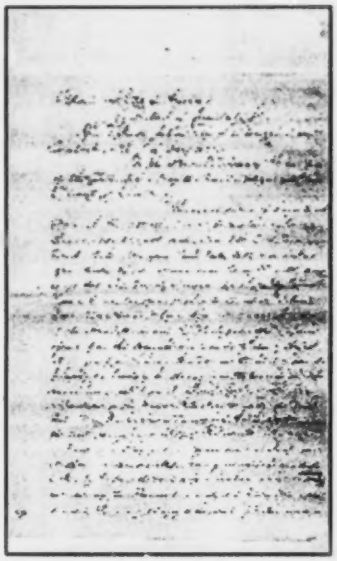
Albert Norris Witness R G Mansfield
for Court Dest.

[illegible] for Appellant

[illegible] Saint Lawrence Register of 1839.

[illegible] my duly sworn Secretary & Keeper of the Records of the Province of Lower Canada do hereby certify that the annexed four sheets of paper contain a true Copy of the Manifest to port of Quebec for the year 1839 of all Goods entered inwards from my Province as follows viz. [illegible] Belgium, Bremen, Brunswick, Denmark, France, Hamburg, Holland, Italy, Mexico, Naples, Oldenburg, Portugal, Prussia, Russia, Sardinia, Spain, Sweden, Tuscany, United States, Cape de Verde Islands, Madeira, Azores, Brazils, Buenos Ayres, Chili, China, Columbia, Cuba, Hayti, Java, Manilla, Mexico, Peru, Rio de la Plata, Sumatra, Turkey, Van Diemans Land, West Indies, Africa, Asia, Australia, Europe, Foreign Ports in America, Foreign Ports in Asia, Foreign Ports in Europe, Foreign Ports in Africa, Foreign Ports in Australia, Foreign Ports in the West Indies, Foreign Ports in the United States, Foreign Ports in the Pacific Ocean, Foreign Ports in the Indian Ocean, Foreign Ports in the Atlantic Ocean, Foreign Ports in the Mediterranean Sea, Foreign Ports in the Baltic Sea, Foreign Ports in the North Sea, Foreign Ports in the Black Sea, Foreign Ports in the Caspian Sea, Foreign Ports in the Red Sea, Foreign Ports in the Persian Gulf, Foreign Ports in the Arabian Sea, Foreign Ports in the Bay of Bengal, Foreign Ports in the China Sea, Foreign Ports in the Philippine Sea, Foreign Ports in the Coral Sea, Foreign Ports in the Tasman Sea, Foreign Ports in the Great Australian Bight, Foreign Ports in the Southern Ocean, Foreign Ports in the Arctic Ocean, Foreign Ports in the Hudson Bay, Foreign Ports in the Gulf of St Lawrence, Foreign Ports in the Gulf of Mexico, Foreign Ports in the Caribbean Sea, Foreign Ports in the Gulf of Guinea, Foreign Ports in the Gulf of Aden, Foreign Ports in the Gulf of Oman, Foreign Ports in the Gulf of Suez, Foreign Ports in the Gulf of Aqaba, Foreign Ports in the Gulf of Tonkin, Foreign Ports in the Gulf of Thailand, Foreign Ports in the Gulf of Carpentaria, Foreign Ports in the Gulf of Papua, Foreign Ports in the Gulf of Alaska, Foreign Ports in the Gulf of California, Foreign Ports in the Gulf of Panama, Foreign Ports in the Gulf of Fonseca, Foreign Ports in the Gulf of Nicoya, Foreign Ports in the Gulf of Dulce, Foreign Ports in the Gulf of Chiriqui, Foreign Ports in the Gulf of Darien, Foreign Ports in the Gulf of Uraba, Foreign Ports in the Gulf of Morrosquillo, Foreign Ports in the Gulf of Venezuela, Foreign Ports in the Gulf of Paria, Foreign Ports in the Gulf of Maracaibo, Foreign Ports in the Gulf of Guayaquil

Document #2



Answer of S. Staples, R. Baldwin, and T. Sedgewick, Proctors for the *Amistad* Africans, to the several libels of Lt. Gedney, et. al. and Pedro Montes and Jose Ruiz, January 7, 1840

National Archives and Records Administration-Northeast Region, Waltham, MA, Records of the District Courts of the United States, RG 21

After the *Amistad* was seized, the schooner, its cargo, and all on board were taken to New London, CT. Had it not been for the actions of abolitionists in the United States, the issues related to the *Amistad* might have ended quietly in an admiralty court. But they used the incident as a way to expose the evils of slavery and generate significant opposition to the practice. Abolitionists asked Roger S. Baldwin, a lawyer from New Haven, and two New York attorneys, Seth Staples and Theodore Sedgewick, to serve as proctors for, or represent, the Africans. The answer to the libels of Lt. Gedney, et. al. and Pedro Montes and Jose Ruiz that the proctors submitted to the district court conveyed the position of the Africans.

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United States of America
District of Connecticut ss.
District Special Court holden at New Haven in said District on the 7th of Jany 1840

To the Honorable Andrew T. Judson Judge of the District Court of the United States in and for the District of Connecticut

The several names of Negro Females Jammah Fenne 1st otherwise called Fatima Sherma, Konoma, otherwise called Nehaulee Cholay, Jamnah 2nd Buah, Konah, Mumbo Pah Tanggeh Buah, Cate Pale, Mamah Nah your Libelants Life on otherwise called Kinny Fenne 2nd otherwise called Pah wa la Hannah Lamana, Fajamah, Jahloy, Fajamah Bonne Fatima, Kinnyman, Gabby otherwise called Calabara, Cain, Tom, New Kahgu Africans now in the custody of the Marshall of said District under Color of process issued from this Honorable Court on the 29th day of August 1839 against the Schooner Amistad and the Estate of personal property on board of her then lying in the harbor of New London in said District on the libel of Lieutenant Wm. R. Gedney a Lieutenant in the United States Navy Commanding the United States Brig Washington in the service of the United States in the Coast Survey, and on behalf of Richard W. Meade a Lieutenant in the said Navy, and the Officers and crew thereof and all others interested or entitled thereto claiming salvage to be awarded to them by this Honorable Court for a meritorious service in [redacted] and rescuing the Respondents property and bringing them and the said Schooner Amistad belonging to the island of Cuba named in

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18. said libel and also under process of this Honorable Court
issued and served at Hartford on the 18th day of September 1839
when the Respondents were in custody of the Marshall of said
District as aforesaid in at Hartford within the body of the
State and District of Connecticut on the libel and claim
of William S. Holabird Esq. United States District Attorney
for said District of Connecticut and the libels respectively of
Pedro Montes & Jose Ruiz, and also under process of this
Honorable Court issued at Hartford aforesaid on the 19th
day of November 1839 on the claim and representation of the
said District Attorney then and there made and filed.

The said respondents severally by protestation not admitting or
acknowledging that the Government of the United States, or any
Department, Court, or officer thereof hath jurisdiction over the
persons of them Respondents or any of them by reason of any
of the allegations & proceedings aforesaid & not confessing or
acknowledging any of the matters & things in the libellants
said several libels & Claims to be true in manner and form
as the same are therein and thereby alledged appear before this
Honorable Court, and for answer to the several libels, claims
& representations aforesaid severally say.

That they and each of them
are natives of Africa and were born free, and ever since
have been and still of right are and ought to be free and
not slaves as in said several libels or claims pretended
or surmised. That they were now domiciled in the
Island of Cuba & the dominions of the Queen of Spain,
& subject to the laws thereof. That on or about the
18th day of April 1839 they and each of them were in the

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land of them, viz. unlawfully Kidnapped and forcibly and wrongfully by certain persons to them unknown, who were then and there unlawfully and piratically engaged in the Slave trade, between the Coast of Africa and the island of Cuba contrary to the rule of the Respondents, unlawfully, and under circumstances of great cruelty, transported to the Spanish island of Cuba, for the unlawful purpose of being sold as slaves, and were there illegally landed for the purpose aforesaid.

That Jose Ruiz one of the said Libellants well knowing of the premises and confederating with the persons by whom the Respondents were unlawfully taken and holden as aforesaid, and intending to deprive the Respondents severally of their liberty, made a pretended purchase of the said Respondents except the said Grace Ann Rose and Mahogany, and that the said Pedro Montes also well knowing of the premises and confederating with the said persons for the purpose aforesaid made a pretended purchase of the said boy James, Rose & Mahogany. That said pretended purchases were made from persons who had no right whatever to the Respondents or any of them, and that the same were void and confered no right or title on the said Ruiz or Montes or right of control over the Respondents or either of them. That afterwards on or about the 25th day of June 1839 the said Ruiz & Montes confederating with Zack Rhea and with one Ramon Ferrer now deceased Capt of said Schooner Armistad & other of the Crew thereof procured Respondents severally without law or right under color of certain false and fraudulent papers by them procured & fraudently used for that purpose to be placed by force on board said Schooner to be transported with said Rose

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10 and Monton to some place unknown to the Respondents and there enslaved for life — That the Respondents being treated on board said Vessels by said Ruiz and Monton, and their confederates with great cruelty and oppression, and being of right free as aforesaid were incited by the love of liberty natural to all men, and by the desire of returning to their families and Kindred, to take possession of said Vessels, while having the right seas as they had right to do with the intent to return therein to their native Country or to seek an asylum in some free State where slavery did not exist in order that they might enjoy their liberty under the protection of its Government — That said Schooner on or about the 26th of August 1839 arrived in the possession of the Respondents at Culloden point near Gardiners Island where they then anchored near the shore of Long Island within hailing distance thereof and within the waters and territory of the State of New York. That the respondents Seingue, Cinque, Kimmahah, Faah, Grand Shahqua Cauli, Covey, Fagana, Kale, Gabbo Fuliwa Kumbe, Fagwainah, Bonomia otherwise called Adam Ma. Yabow Bumah, Thomas, Francis Peter Brown Grabo, while said Schooner was at anchor as aforesaid went on shore within the State of New York in pursuance permission and other purposes and while there in a State where slavery is unlawful and does not exist under the protection of the Government and laws of said State by which they were all free, whether on board of said Schooner or on shore the Respondents were severally seized as well those who were on shore as aforesaid as those who were on board of & in possession of said Schooner by the said Lieut. Gedney, his officers and crew of said United States Brig Washington without any lawful warrant or authority whatever at the request of said Ruiz and Monton, and

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the intent to keep and secure them as slaves to the said Tracy and Hunter respectively and to obtain an award of salvage thereof from the Honorable Court in pursuance of said mentioned act. That for that purpose the Respondents were by the said Tracy & Fedrup, his officers and crew aforesaid forcibly and unlawfully withdrawn from the jurisdictional limits of the State of Newyork and brought to the port of New London aforesaid and while there and afterwards under the subsequent proceedings in this Hon Court taken into the Custody of the Marshal of said District of Connecticut and confined and held in the goal in the City of Hartford respectively as aforesaid. Wherefore the Respondents severally pray that they and each of them may be set free as they of right are and ought to be, and that they be released from the custody of the Marshal under the process of this Hon Court under which or under color of which they are holden as aforesaid.

I Staples, W S Baldwin, Proctors
F T Sedgwick

And at said Court holden at Hartford within & for the County & District aforesaid on the 4th day of January A.D. 1840. Came on to be heard upon the Libel & Claim of the Libellants and the Answer & Plea of the Respondents and by consent of the Parties the cause is ordered following to wit

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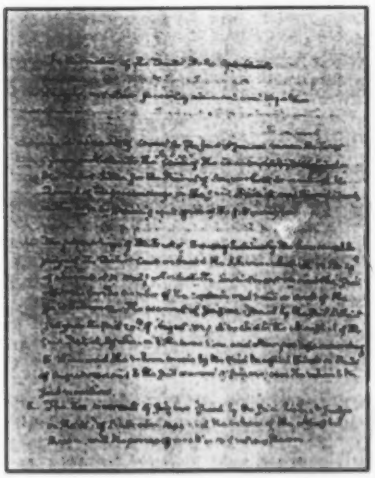
Document #3



John Quincy Adams' request for papers relating to the lower court trials of the *Amistad* Africans, January 23, 1841

National Archives and Records Administration, Records of the Supreme Court of the United States, RG 267

After the Federal District Court ruled in favor of the Africans, the U.S. District Attorney filed an appeal to the Supreme Court. In the trial before the Supreme Court, the Africans were represented by John Quincy Adams, a former U.S. President and descendant of American revolutionaries. Preparing for his appearance before the Court, Adams requested papers from the lower courts one month before the proceedings opened. For 8 ½ hours, the 73-year-old Adams passionately and eloquently defended the Africans' right to freedom on both legal and moral grounds, referring to treaties prohibiting the slave trade and to the Declaration of Independence.

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In the matter of the United States Appellants

vs

Cinque and others severally claimants and appellees

I, D. Adams, of Counsel for the said Africans moves the Court for a certiorari to the Clerk of the Circuit ~~and District~~ Court of the United States for the District of Connecticut, to amend the Record of the proceedings in the said District and Circuit Courts in this case, by sending up copies of the following papers.

1. The proceedings of the Court of Enquiry holden by the honourable judge of the District Court on board the Schooner Amistad on the 2nd of August 1839. and particularly the Indictment against the said Africans for the murder of the captain and mate or cook of the said Schooner. The warrant of Seizure issued by the said District Judge on the said 29th of August 1839. directed to the Marshal of the said District, together with the monitions and other process according to Law and the return made by the said Marshal Ellsworth on the 30th of August aforesaid to the said warrant of seizure, and the return to the said monitions.
2. The two warrants of Seizure issued by the said District Judge on the 18th of September 1839 and the returns of the Marshal thereon with the process of monition and returns thereon.

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3. The warrant of seizure issued by the said District Court on the 12th of September 1839 and the return of the Marshal thereon.

4. ~~The instructions of the Judge of the circuit court to the Grand Jury on the~~

4. The Bills of Indictment filed by the District Attorney against the said Africans for the murder of the Captain and Cook of the Amistad and also for piracy: and the proceedings of the Grand Jury and the instructions of the Circuit Court & the said Grand Jury thereon.

5. The writ of Habeas Corpus in behalf of the said Africans on the said 18th or 19th of Sept. 1839 the return and the decision of the said Circuit Court thereon

J. Q. Adams.

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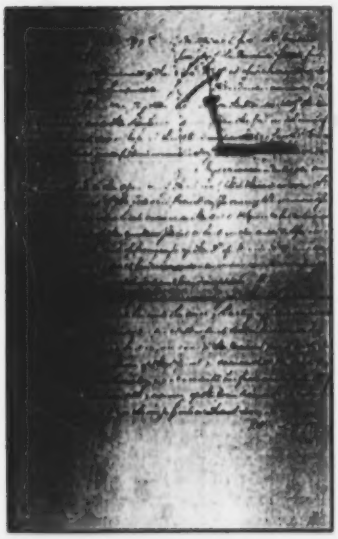
Document #4



Opinion of the Supreme Court in *United States* v. *The Amistad*, March 9, 1841

National Archives and Records Administration, Records of the Supreme Court of the United States, RG 267

Senior Justice Joseph Story wrote and read the decision of the Supreme Court. The Court ruled that the Africans on board the *Amistad* were free individuals. Kidnapped and transported illegally, they had never been slaves.

Although Justice Story had written earlier that ". . . it was the ultimate right of all human beings in extreme cases to resist oppression, and to apply force against ruinous injustice," the opinion in this case more narrowly asserted the Africans right to resist "unlawful" slavery.

The Court ordered the immediate release of the *Amistad* Africans.

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The United States. Appt.
vs
The Libellants & Claimants of the Schooner Amistad her tackle Apparel and furniture together with her Cargo and the Negroes mentioned and described in the several Libels and Claims

On Appeal from the Circuit Court of the United States for the District of Connecticut

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of [redacted] and was argued by Counsel. On consideration whereof it is the opinion of this Court that there is error in that part of the decree of the Circuit Court affirming the decree of the District Court which orders the said Negroes to be delivered to the President of the United States to be transported to Africa in pursuance of the Act of Congress of the 3d of March 1819; and that as to that part it ought to be reversed; and in all other respects that the said decree of the Circuit Court ought to be affirmed. It is therefore ordered adjudged and decreed by this Court that the decree of the said Circuit Court be and the same is hereby affirmed except as to the part aforesaid and as to that part that it be reversed; and that the cause be remanded to the Circuit Court with directions to enter in lieu of that part a decree that the said Negroes be and are hereby declared to be free and that they be dismissed from the custody of the Court and be discharged from the suit and go thereof hence without day.

March 9. 1841.

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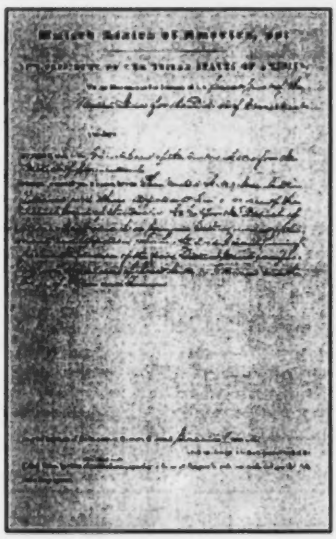
Document #5



Statement of the Supreme Court to Circuit Court, March 9, 1841

National Archives and Records Administration,
Records of the Supreme Court of the United States, RG 267

Following its decision, the Supreme Court submitted this statement to the lower court where the case originated. The statement indicated that the decision of the circuit court was in part upheld and in part reversed. The part that was upheld related to the freedom of the Africans. The part that was reversed related to Judge Andrew T. Judson's application of the Congressional Act of March 3, 1819. Judson's decision authorized the President to return the Africans to Africa. Ultimately, the abolitionists arranged for their return in early 1842.

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United States of America, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Honorable the Judges of the Circuit Court of the United States for the District of Connecticut

greeting:

WHEREAS, lately, in the Circuit Court of the United States for the District of Connecticut before you, or some of you, in a cause, between The United States Lorenzo Sellimans and others Appellants from a decree of the District Court of the United States for the District of Connecticut and Rose Guiness Esthers severally Claimants and Appellees, wherein the said Circuit Court affirmed the decree of the said District Court except as respects the claims of Lorenzo Sellimans and the House of Lopez and Cuna—

as by the inspection of the transcript of the record of the said Circuit Court which was brought into the Supreme Court of the United States, by virtue of ~~a writ of error~~ appeal agreeably to the act of Congress in such case made and provided, fully and at large appears.

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And whereas, in the present term of January in the year of our Lord one thousand eight hundred and forty one the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and was argued by counsel; on consideration whereof, It is the opinion of this Court that there is error in that part of the decree of the Circuit Court affirming the decree of the District Court which ordered the said Negroes to be delivered to the President of the United States to be transported to Africa in pursuance of the Act of Congress of the 3d of March 1819, and that as to that part it ought to be reversed, and in all other respects that the decree of the Circuit Court ought to be affirmed — It is therefore ordered, adjudged and decreed by this Court that the decree of the said Circuit Court be and the same is hereby affirmed except as to the first aforesaid, and as to that part that it be reversed, and that the cause be remanded to the Circuit Court with directions to enter in lieu of that part a decree that the said Negroes be and are hereby declared to be free, and that they be dismissed from the custody of the Court and be discharged from the said and thereof quit without day. March 9th

You, therefore, are hereby commanded that such further proceedings be had in said cause, to be conformable to the opinion and decree of this Court as according to right and justice, and the laws of the United States ought to be had, the said Decree notwithstanding. WITNESS the Honorable Roger B Taney Chief Justice of said Supreme Court, the second Monday of January in the year of our Lord one thousand eight hundred and forty one.

Clerk of the Supreme Court of the United States

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